

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30271 of 2024**

Arising Out of PS. Case No.-390 Year-2023 Thana- NAUGACHIA District- Bhagalpur

Pradeep Kumar, aged about 24 years, Gender-Male, Son of Ravindra Mandal,
Resident of Khairpur, P.S.- Kharik, District- Bhagalpur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

For the Petitioner : Mr. Arjun Kumar, Advocate
For the Opposite Party : Mr. Rana Randhir Singh, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 20-05-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Naugachia P.S. Case No. 390 of 2023 dated 16.11.2023 registered for the offences punishable under Sections 413 and 414/34 of the I.P.C.

3. As per the prosecution case, during the vehicle checking, the police arrested the co-accused Md. Sajan and recovered one mobile phone and one stolen motorcycle from his possession and who has also disclosed that the said motorcycle was given by one Sonu Bhai. He further disclosed that 25-30



days ago, the said Sonu Bhai has also given two stolen motorcycles and out of which one motorcycle was sold to the petitioner. Thereafter, the police raid the house of the petitioner but neither the petitioner was present at his house nor the said stolen motorcycle was recovered from his house.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has been falsely implicated in this case. It is further submitted that no incriminating article has been recovered either from the possession of the petitioner or from the house. The name of the petitioner has sprung up in the present case on the basis of the confessional statement of the co-accused Md. Sajan which has got no evidentiary value in the eye of law. The petitioner has clean antecedent as stated in paragraph no. 3 of the bail application.

5. Learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioner.

6. Considering the aforesaid facts and circumstances of the case, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail bond of Rs. 20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M., Naugachia,



Bhagalpur in connection with Naugachia P.S. Case No. 390 of 2023, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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